

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, claims 4, 6-9 and 11 are pending in the application, with claim 11 being the independent claim. Claim 2 is sought to be cancelled herewith without prejudice to or disclaimer of the subject matter therein. Claims 1, 3, 5 and 10 were previously cancelled. Claim 11 has been amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Miscellaneous Matters

Applicants thank the Examiner for the Examiner-initiated telephone interview of December 4, 2009. During the telephone interview, the Examiner indicated that he was concerned that claim 2 was redundant and should be cancelled, and that he was concerned that a double patenting rejection was forthcoming in view of U.S. Pat. No. 7,217,311. Applicants thank the Examiner for the telephone interview, and believe that the submission herewith addresses all of concerns expressed in the telephone interview and the resulting office action of December 8, 2009.

Objection of Claim 2 under 37 CFR § 1.75(c)

Claim 2 was objected to under 37 CFR § 1.75(c) as allegedly being of improper form for failing to further limit the subject matter of a previous claim. Solely to advance

prosecution, claim 2 has been cancelled, thus rendering this rejection moot. Applicants respectfully request withdrawal of this rejection.

Rejections of Claims 2, 4, 6-9 and 11 for Double Patenting

Claims 2, 4, 6-9 and 11 were rejected on the ground of nonstatutory double patenting allegedly in view of claims 1-7 of U.S. Pat. No. 7,217,311. Applicants respectfully traverse this rejection.

However, solely to advance prosecution, Applicants submit herewith a Terminal Disclaimer in compliance with 37 CFR § 1.321(c), showing that the captioned application and U.S. Pat. No. 7,217,311 are commonly owned. In view of the Terminal Disclaimer submitted herewith, Applicants respectfully request that the double patenting rejection be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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